

1.0 INTRODUCTION

The Multiple Species Conservation Program (MSCP) is a comprehensive, long-term habitat conservation plan which addresses the needs of multiple species and the preservation of natural vegetation communities in San Diego County. The MSCP addresses the potential impacts of urban growth, loss of natural habitat and species endangerment, and creates a plan to mitigate for the potential loss of Covered Species and their habitat due to the direct, indirect and cumulative impacts of future development of both public and private lands within the MSCP area.

The MSCP is a subregional plan under the California Natural Community Conservation Planning (NCCP) Act of 1991. The Multiple Species Conservation Program: MSCP Plan (August 1998) (MSCP Subregional Plan) was prepared for the Subregion, an area encompassing twelve jurisdictions and 582,243 acres. The MSCP Subregional Plan is implemented through local Subarea Plans.

This document is the Subarea Plan for the City of Chula Vista (the City) and has been prepared pursuant to the general outline developed by the United States Fish and Wildlife Service (USFWS) and the California Department of Fish and Game (CDFG) (Wildlife Agencies) to meet the requirements of the NCCP. The Subarea Plan is also consistent with the MSCP Subregional Plan and qualifies as a Subarea Plan document to implement the MSCP Subregional Preserve within the City.

The MSCP planning effort was initiated in 1990. *The Final EIR/EIS: Issuance of Take Authorizations for Threatened and Endangered Species due to Urban Growth within the Multiple Species Conservation Program (MSCP) Planning Area* dated January 1997 (Final EIR/EIS) analyzed several alternative MSCP Subregional Preserve designs, all of which included the Preserve design incorporated into this Subarea Plan. The environmental impacts associated with the establishment of this Subarea Plan Preserve were studied within the range of alternatives analyzed in the Final Environmental Impact Report/Environmental Impact Statement (EIR/EIS).

This Subarea Plan will form the basis for a Federal 10(a)(1)(B) permit and State 2835 permit. In addition, an Implementing Agreement (IA), an agreement between the City and the Wildlife Agencies that ensures implementation will be completed based upon this Subarea Plan. The Chula Vista Subarea Plan and its associated IA will establish the conditions under which the City for the benefit of itself, public and private landowners, and other land development proponents within its Subarea boundaries, will receive from the Wildlife Agencies certain long-term Take Authorizations (and an acknowledgement that the MSCP satisfies conditions established in the Section 4(d) Special Rule for the coastal California gnatcatcher (*Poliophtila californica californica*)) which will allow the taking of certain Covered Species incidental to land development and other lawful land uses which are authorized by the City. Take Authorization will be issued upon approval of this Subarea Plan by the Wildlife Agencies, execution of the IA, and issuance of Federal and State Take permits. The Federal and State Take permits for Covered Projects shall be issued upon approval of the Subarea Plan and its associated environmental documents, execution of the IA, and compliance with all applicable Federal and State requirements with respect to Take Authorization issuance.

This Subarea Plan is intended to implement all relevant sections of the MSCP Subregional Plan, including the habitat and species conservation goals and requirements found in Table 3-5 of the Subregional Plan (Appendix A). In addition, this Subarea Plan includes the Federal-listed endangered Quino checkerspot butterfly (*Euphydryas editha quino*) as a Covered Species. Any project approved by the City must be in conformance with the Chula Vista Subarea Plan. For the areas covered under this Subarea Plan (the Chula Vista Subarea) the provisions of this Subarea Plan and IA supersede those of the overall MSCP Subregional Plan in the event of conflicts.

1.1 Subarea Plan Goals

The City has prepared this Subarea Plan with specific intent to meet the following goals:

1. To conserve Covered Species and their habitats through the conservation of interconnected significant habitat cores and linkages.
2. To delineate and assemble a Preserve using a variety of techniques including public acquisition, on- and off-site mitigation, and land use regulations.
3. To provide a Preserve management program that, together with Federal and State management activities, will be carried out over the long-term, further ensuring the conservation of Covered Species.
4. To provide necessary funding for a Preserve management program and biological monitoring of the Preserve.
5. To reduce or eliminate redundant Federal, State and local natural resource regulatory and environmental review of individual projects by obtaining Federal and State Take Authorizations for 86 species.

1.2 Consistency of the Chula Vista Subarea Plan with the MSCP Subregional Plan

The City is located in the southwest portion of San Diego County and is one of 12 jurisdictions included in the MSCP Subregion (Figure 1-1). Habitat conservation land, within the City is mapped on Figure 1-2 as either 100% or 75-100% Conservation Area (Preserve). The 100% Conservation Areas are delineated by hard-line boundaries, while the 75-100% Conservation Areas are defined by a quantitative and qualitative target for habitat conservation where final boundaries are not yet determined. The Preserve within the City was designed using the general preserve design principles in Section 5.0 of the MSCP Subregional Plan. Areas targeted for Preserve represent large, interconnected blocks of habitat, which follow natural topography and include areas with varying biodiversity and land with “High” and “Very High” biological values as depicted on the MSCP Subregional Plan Habitat Evaluation Map (Figure 1-3).

The Preserve will serve as an important link to key MSCP conservation resource areas, including Otay Mountain to the east and San Miguel Mountain to the north. Much of the area conserved within the Preserve is designated as biological “core” or “linkage” land on the MSCP Subregional Plan Generalized Core Biological Resource Areas and Linkages map (Figure 1-4).

The MSCP Subregional Plan and Final EIR/EIS were adopted by the City of San Diego, the project's lead agency, and approved by the Wildlife Agencies in 1997. For the Final EIR/EIS evaluation, draft Subarea Plans from participating jurisdictions were used as the basis for consideration, including a draft City of Chula Vista MSCP Subarea Plan, dated August 1996 ("1996 Draft Subarea Plan"). This updated Chula Vista Subarea Plan includes changes which are consistent with the goals of the MSCP Subregional Plan and Final EIR/EIS, and which strengthen the conservation efforts detailed in the 1996 Draft Subarea Plan.

The Final EIR/EIS for the Take Authorization identifies "Vegetation Community Conservation Target Acres" for conservation within the MHPA by Subarea. This Subarea Plan meets or exceeds the conservation targets established for the City in the Final EIR/EIS and ensures conservation of an estimated 9,243 acres of core biological resource areas and associated habitat linkages identified in the MSCP Subregional Plan. Approximately 4,993 acres of land will be conserved within the jurisdictional boundaries of the City. In addition, implementation of this Subarea Plan will result in over approximately 4,250 acres of conservation of land located outside the City boundaries and within the County of San Diego Multiple Habitat Planning Area (MHPA). These contributions to the Subregional Plan conservation effort are the result of mitigation requirements for Covered Projects within the City.

1.3 Definitions

The following definitions apply only to the City of Chula Vista MSCP Subarea Plan and not to documents which have been incorporated to this Subarea Plan by reference.

75-100% Conservation Area – Lands for which hard-line Preserve boundaries have not yet been established, but where development or impact is limited to 25% or less of the mapped area and Preserve will total between 75% and 100% of the mapped area and where the conserved portion will be managed for its biological resources (Figure 1-2).

100% Conservation Area – Lands within the City of Chula Vista for which hard-line Preserve boundaries have been established and where the conserved portion will be managed for its biological resources (Figure 1-2).

Agricultural Operations – Soil disturbance activity for the preparation or maintenance of a site for the cultivation of crops or other agricultural purposes where the activity has occurred continuously within previous years in compliance with all applicable regulations and involves no intensification of the use.

Appropriate Managing Entity – The entity that manages any portion of the Preserve, including but not limited to the City, a third-party under the control of the City, or the Otay Ranch Preserve Owner/Manager.

Area-specific Management Directives (ASMD) – Detailed Preserve management plans for distinct geographic areas within the Preserve, tiered down from framework management plans. These plans will be used to implement adaptive management.

Biological and Open Space Easement – A permanent legal encumbrance established to protect biological resources and dedicate land to the Preserve.

Biological Functional Equivalency – A modification to a Preserve boundary which results in a Preserve configuration with a biological value that is equal to or higher than the original Preserve configuration. The comparison of biological value is based on the “like or equivalent” exchange concept for biological factors identified in Section 5.4.2 of the MSCP Subregional Plan.

Biologically Superior Preservation Alternative – A project design alternative which exceeds the Narrow Endemic Species threshold but demonstrates superior biological function of the onsite Narrow Endemic Species population when compared to a project design alternative within the Narrow Endemic Species threshold.

Bonita Planning Component – All territory within the *Chula Vista MSCP Planning Area* which is located outside the incorporated boundaries of the City of Chula Vista, exclusive only of that area outside the incorporated boundaries of the City of Chula Vista which is part of the Otay Ranch General Development Plan (Figure 2-1).

Boundary Adjustment – A change to the Preserve boundary resulting from: a) new biological information obtained through site-specific studies, b) unforeseen engineering design opportunities or constraints, c) request to change boundaries in the context of the Biological Functional Equivalency, and/or d) timely and adequate notice of objection by the Wildlife Agencies to a mapping conflict determination made by the City Director of Planning and Building, pursuant to Section 5.4 of this Subarea Plan.

Candidate Species – Those native species or subspecies of bird, mammal, fish, amphibian, reptile, or plant that the California Fish and Game Commission has formally noticed as being under review by CDFG for addition to either the list of endangered species or the list of threatened species, or a species for which the Fish and Game Commission has published a notice of proposed regulation to add the species to either list, pursuant to Section 2068 of the California Fish and Game Code.

CDFG – The California Department of Fish and Game, a subdivision of the California Resources Agency charged with administering the California Endangered Species Act and the Natural Community Conservation Planning Act.

CEQA – The California Environmental Quality Act (California Public Resources Code 21000 et seq.), including all regulations promulgated pursuant to that Act.

CESA – The California Endangered Species Act (California Fish and Game Code 2050 et seq.), including all regulations promulgated pursuant to that Act. CESA prohibits CDFG from authorizing any incidental take of a state-listed threatened or endangered species if that take would jeopardize the continued existence of the species.

Chula Vista Covered Species – Those Covered Species which are adequately conserved by the Chula Vista Subarea Plan, together with other Subarea Plans within the MSCP Subregional Plan Area, in effect during the duration of the City’s Section 10(a)(1)(B) permit issued by the USFWS and Take Authorization issued by CDFG, including Species Adequately Conserved. Adequate conservation for certain Chula Vista Covered Species shall include the measures contained in the findings for those species in Table 3-5 of the MSCP Subregional Plan which is incorporated in the Chula Vista Subarea Plan (Appendix A).

Chula Vista MSCP Planning Area – The area within the City of Chula Vista’s General Plan boundaries, which includes area within the incorporated boundaries of the City of Chula Vista and unincorporated areas of the County of San Diego (Figure 1-2).

Chula Vista Subarea – The area of land within the incorporated boundary of the City of Chula Vista (Figure 1-2), as may be modified from time to time by annexation in accordance with this Subarea Plan.

Chula Vista Subarea Plan – the Subarea Plan prepared by the City of Chula Vista and reviewed and approved by the Wildlife Agencies, and adopted by the City of Chula Vista as part of the City’s General Plan, to implement the MSCP Subregional Plan within the Chula Vista Subarea.

City Habitat Manager – The individual designated by the City to implement the Chula Vista MSCP Subarea Plan Preserve Management programs.

City Planning Component – All territory within the *Chula Vista MSCP Planning Area* which is located within the incorporated boundaries of the City of Chula Vista exclusive of that area which is part of the Otay Ranch General Development Plan (Figure 2-1).

Clearing – The cutting and removal of natural vegetation by any means, without disturbance to the soil and root system.

Covered Activities – Land uses, land and public infrastructure development, and conservation activities identified in this Subarea Plan and subject to the City of Chula Vista’s jurisdiction and control that may result in Incidental Take of Covered Species during the term of this Subarea Plan and for which Incidental Take coverage is requested under the Take Authorizations.

Covered Projects – Those projects involving land use development within the City of Chula Vista for which hard-line Preserve boundaries have been established pursuant to the approved Chula Vista Subarea Plan, and where conservation measures consistent with the MSCP Subregional Plan and Chula Vista Subarea Plan have been or will be specified as binding conditions of approval in such Project’s plans and approvals. Covered Projects are shown on Figure 5-1 of this Subarea Plan. The conditions of coverage for each Covered Project are specified at 7.5.6 of the Subarea Plan.

Covered Species – Those species within the MSCP Subregional Plan which will be adequately conserved by the MSCP when the MSCP is implemented through the Subarea Plans, including Species Adequately Conserved, listed on Table 4 –1, as well as the Covered Species listed on Tables 4-2 and 4-3 of this Subarea Plan.

Development – The uses to which land shall be put, including construction of buildings and structures and all alterations of the land incidental thereto, excluding Agricultural Operations.

Development Area – Mapped areas within which the Take of Chula Vista Covered Species is authorized by this Subarea Plan Section 10(a)(1)(B) and Section 2835 permit (Figure 1-2).

Emergency Management Plan (EMP) – The document to be prepared by the City of Chula Vista with concurrence from the Wildlife Agencies, upon issuance of Take Authorization assuring that the City will coordinate an emergency notification and response system to be used in the event of emergency incidents occurring in the Preserve. A timeline for preparation of the EMP is identified in Table 7-1.

Endangered Species – A species listed as “endangered” under the Federal Endangered Species Act (ESA) or the California Endangered Species Act.

ESA – The Federal Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.), including all regulations promulgated pursuant to that Act.

Framework Management Plan – A plan providing guidelines for Preserve management.

Fully Protected Species – Those species listed in Sections 3511 (Fully Protected Birds), 4700 (Fully Protected Mammals), 5050 (Fully Protected Reptiles and Amphibians), 5515 (Fully Protected Fish) of the California Fish and Game Code for which all incidental Take is prohibited.

Future Facilities – Facilities that are necessary to support City services or planned development in the future and are not specifically listed as a Planned Facility.

Grading – Any excavating or filling or combination thereof and shall include the land in its excavated or filled condition.

Grubbing – The removal of natural vegetation by any means, including removal of the root system.

Habitat Loss and Incidental Take (HLIT) Ordinance – Ordinance which establishes mitigation standards for biological resources and implements the Chula Vista Subarea Plan outside of Covered Projects. Third Party Beneficiary status will be extended to persons and entities under the jurisdiction and control of the City of Chula Vista through permits issued pursuant to the HLIT.

Hard-lines – The boundary between Preserve and development established on a project by project basis, after evaluation of habitat and species data collected and/or surveys conducted as part of project entitlement processing, evaluation by the Wildlife Agencies, and consideration of the contribution that will result to the overall MSCP Subregional Planning effort.

Implementing Agreement (IA) – The legal agreement between the City of Chula Vista and the Wildlife Agencies that ensures implementation of the Chula Vista MSCP Subarea Plan, binds each of the parties to perform the obligations, responsibilities, and tasks assigned, and provides remedies and recourse should any of the parties fail to perform.

Incidental Take – The Take of a species which is incidental to and not the purpose of the carrying out of an otherwise lawful activity. For purposes of the Section 10(a)(1)(B) Permit, Incidental Take refers solely to species other than plant species.

Land Development Permit – A permit issued pursuant to the Chula Vista Municipal Code Chapter 15.04.

Listed Non-covered Species – A species listed as threatened or endangered under the Federal Endangered Species Act or the California Endangered Species Act, but for which a Section 10 (a)(1)(B) nor a section 2835 permit has not been granted pursuant to the Chula Vista MSCP.

Major Amendment Area – Areas within the *Chula Vista Subarea* which have been excluded from the City's Take Authorization and which require approval by the City of Chula Vista Director of Planning and Building, the USFWS Field Supervisor and the CDFG NCCP Program Manager, as well as amendment of the Chula Vista Subarea Plan and issuance of new Take Authorization to obtain incidental take coverage.

Mapping Conflict – A request for alteration to Preserve boundaries when mapping errors have placed an area into the Preserve which is developed or expressly intended for development, and/or when mapping errors have removed from the Preserve, an area with sensitive resources expressly intended to be conserved.

MBTA – The Federal Migratory Bird Treaty Act (16 U.S.C. 701 et seq.), including all regulations promulgated pursuant to that Act.

Minor Amendment Area – Areas within the *Chula Vista Subarea* which contain habitat that could be partially or completely eliminated, with appropriate mitigation, without affecting the overall goals of the Subarea Plan. Take Authorization for Minor Amendment Areas will be provided pursuant to Section 5.1.3.1 of the Subarea Plan.

MSCP Annexation Agreement – A legal agreement between the City of Chula Vista, the detaching jurisdiction, and the Wildlife Agencies, as part of the annexation process to ensure that any development of the annexed land proceeds in accordance with the conservation goals of the MSCP and that Take Authorization is transferred from the detaching jurisdiction to the City.

MSCP Implementation Guidelines – Guidelines formulated by the City of Chula Vista Department of Planning and Building to aid in the interpretation and facilitate implementation of the HLIT Ordinance. These Guidelines are complementary to the Chula Vista MSCP Subarea Plan and HLIT Ordinance and do not include new substantive information or requirements.

MSCP Subarea Plan – A Habitat Conservation Plan prepared pursuant to and consistent with the Multiple Species Conservation Program (MSCP) Subregional Plan, in order to implement the conservation program and requirements established by the MSCP Subregional Plan within the boundaries of participating local jurisdiction.

MSCP Subregional Plan – The Multiple Species Conservation Program Plan, a comprehensive habitat conservation planning program dated August 1998 which addresses multiple species habitat needs and the preservation of native vegetation for a 900-square mile area in southwestern San Diego County, California.

MSCP Subregional Plan Area – An area of approximately 900 square miles in southwestern San Diego County, referred to in the MSCP Subregional Plan as the “MSCP Subregional Plan Study Area.”

MSCP Subregional Preserve – Permanent open space established at the Multiple Species Conservation Program Subregional level and managed for its biological resources.

Multi-Habitat Planning Area (MHPA) – The area within the MSCP Subregional Plan Area where preserve planning is focused and within which permanent conservation of habitat lands will be accomplished through implementation of subarea plans. The MHPA is defined by mapped boundaries and/or by quantitative targets for habitat conservation and other criteria as specified in individual subarea plans.

Natural Vegetation – Vegetation identified as Tier I, II, or III on Table 5-3 of the Chula Vista MSCP Subarea Plan.

Narrow Endemic Species – Species that are highly restricted by their habitat affinities, or other ecological factors, and are listed in Table 5-4 of this Subarea Plan.

NCCP Act – The California Natural Community Conservation Planning Act of 1991, enacted by Chapter 765 of the California statutes of 1991 (A.B. 2172, codified in part at California Fish and Game Code 2800, et seq.), including all regulations promulgated pursuant to that Act. Amendments to the NCCP Act enacted effective January 1, 2003 (Chapter 4, sections 1 and 2 of California statutes 2002 (S.B. 107) expressly provide that the Chula Vista Subarea Plan will be solely governed in accordance with the NCCP Act as it read on December 31, 2001, and not by the other substantive provisions of S.B. 107.

NCCP Authorization – Any authorization issued by CDFG under the NCCP Act or by the California Fish and Game Commission under the NCCP Act to permit the Take of a species listed under CESA as threatened or endangered, or of a species which is candidate for such a listing, or of a species identified pursuant to Section 2835, except that the NCCP Authorization does not authorize any Take of five fully protected birds that are listed in Fish and Game Code section 3511 (golden eagle, American peregrine falcon, bald eagle, California brown pelican and California least tern) or the mountain lion, which is protected by Fish and Game Code section 4800.

NCCP Plan – A plan developed in accordance with the NCCP Act which provides for comprehensive management and conservation of multiple wildlife species and identifies and provides for the regional or area-wide protection and perpetuation of natural wildlife diversity while allowing compatible and appropriate development and growth.

Otay Ranch General Development Plan (Otay Ranch GDP/SRP) – The General Development Plan/Subregional Plan (GDP/SRP) prepared for the Otay Ranch and adopted by the City of Chula Vista and County of San Diego in 1993, and as amended from time to time. The Otay Ranch GDP delineates general planning policies and land uses for approximately 22,899 acres of the Otay Ranch located both within the City of Chula Vista and the County of San Diego unincorporated area, including residential, commercial/industrial, recreational, transportation and open-space uses.

Otay Ranch Planning Component – All territory within the *Chula Vista MSCP Planning Area* which is located within the Otay Ranch General Development Plan, which includes area within the incorporated boundaries of the City of Chula Vista and unincorporated areas of the County of San Diego (Figure 2-1).

Otay Ranch Preserve – An 11,375-acre habitat conservation area established by the Otay Ranch Phase 1 Resource Management Plan.

Participating Local Jurisdiction – Any of the 12 local governments that may prepare an MSCP Subarea Plan and receive a USFWS Section 10(a)(1)(B) permit and a Section 2835 permit from the CDFG.

Planned Facilities – Facilities that have been specifically identified by the City to serve development approved by the City and are specified in Table 6-1.

Planned Responses – The list of responses the City or other responsible agencies will utilize to respond to a Changed Circumstance.

Preserve – Areas within the City of Chula Vista incorporated limits which are dedicated and accepted by the City for permanent conservation and which will be managed for their biological resources.

Preserve Owner/Manager (POM) – The entity responsible for overseeing the day-to-day and long-range preserve management activities within the Otay Ranch Preserve, including but not limited to management of resources, restoration of habitat, and enforcement of open space restrictions.

Project Area – An area considered for development and shall include the entire contiguous land under the same ownership or like property interest or, in the case of development proposed by a public agency, the area required for development as determined by the Director of Planning and Building.

Restoration Areas – An area within the City’s MSCP Preserve that is undergoing active restoration to either wetland or upland habitat and has not yet achieved the success criteria established as part of an approved restoration plan.

Resource Agencies – The USFWS, the United States Army Corps of Engineers (ACOE), and the CDFG.

Restricted Development Area (RDA) – Those open space areas identified by the Otay Ranch Resource Management Plan as either Restricted Development Areas or Limited Development Areas, where the precise configuration of open space and development will be determined pending the outcome of future technical studies.

Section 4(d) Special Rule – The regulation concerning the coastal California gnatcatcher published by the USFWS on December 10, 1993 (58 F.R. 65088) and codified at 50 C.F.R. 17.41(b), pursuant to the ESA which describes one particular set of conditions under which the Incidental Take of the coastal California gnatcatcher in the course of certain land use activities is lawful.

Section 7 – Section 7(a)(2) of the ESA (16 U.S.C. 1536 (a)(2)) which requires that any Federal agency that permits, licenses, funds, or otherwise authorizes activities that may affect species listed under the Act, must consult with the USFWS to ensure that its actions will not jeopardize the continued existence of any listed species or adversely modify the designated Critical Habitat of a listed species.

Section 10(a)(1)(B) Permit – A permit issued by the USFWS under Section 10(a)(1)(B) of the ESA (16 U.S.C. 1539(a)(1)(B)) to allow the Incidental Take of Species Adequately Conserved and/or Chula Vista Covered Species, to the extent Take of such species is otherwise prohibited under Section 9 of the ESA. The Take of listed plant species is not prohibited under the ESA or authorized under the Section 10(a)(1)(B) permit. However, plant species adequately conserved by the Chula Vista Subarea Plan, or by the Chula Vista Subarea Plan in conjunction with other approved MSCP Subarea Plans, are listed in the 10(a)(1)(B) permit in recognition of the conservation measures and benefits provided for them under the approved Subarea Plans. Such plant species receive assurances pursuant to the USFWS “No Surprises” Rule.

Section 404 – Section 404(b)(1) of the Federal Clean Water Act (33 U.S.C. 1344), which regulates discharge of dredged and fill material into Waters of the United States, including Wetlands.

Section 1600 – Section 1600 of the California Fish and Game Code, which regulates alterations to permanent or intermittent stream courses.

Section 2835 – Section 2835 of the California Fish and Game Code, which allows the Take of identified species whose conservation and management is provided for through a NCCP approved by the CDFG.

Sensitive Biological Resources – Lands that contain Natural Vegetation and/or Wetlands; and/or habitat occupied by Covered Species, other Listed Non-Covered Species, and/or Narrow Endemic Species.

Significantly Conserved Vegetation Communities – Those vegetation communities described in Section 4.2.4 of the MSCP Subregional Plan which will be significantly conserved through implementation of the MSCP Subregional Plan and the approved Chula Vista Subarea Plan.

Species Adequately Conserved – Those species listed on Table 4 -1 of this Subarea Plan, for which the Chula Vista Subarea Plan provides substantial conservation and for which the City of Chula Vista shall receive Take Authorization regardless of the participation or continued participation of any other Participating Local Jurisdiction.

Sufficiently Conserved Vegetation Communities – Those vegetation communities described in Section 4.2.4 of the MSCP Subregional Plan which will be sufficiently conserved through implementation of the MSCP Subregional Plan and the approved Chula Vista Subarea Plan.

Take – Refers to the meaning provided by the ESA and the California Fish and Game Code, including relevant regulations and case law.

Take Authorization – Permit authority granted through a Section 10(a)(1)(B) Permit pursuant to the ESA and/or the Section 2835 permit pursuant to the NCCP Act.

Third Party Beneficiary – Any landowner or other public or private entity that obtains Take Authorization through the City of Chula Vista's Take Authorization.

Threatened Species – A species listed as “threatened” under the ESA or CESA.

USFWS – The United States Fish and Wildlife Service, an agency of the United States Department of the Interior, charged with administering the ESA.

Wetlands – Wetlands are generally defined as those areas that are inundated or saturated by surface or ground water at a frequency or duration sufficient to support a prevalence of vegetation typically adapted for life in saturated soil conditions. For purposes of the Chula Vista MSCP Subarea Plan, Wetlands are those lands which contain naturally occurring wetland communities listed on Table 5-6 of the Chula Vista MSCP Subarea Plan and further described in Appendix B. Wetlands also include areas lacking wetland communities due to non-permitted filling of previously existing Wetlands.

Wildlife Agencies – The United States Fish and Wildlife Service and the California Department of Fish and Game.

1.4 Acronyms

ACOE – United States Army Corps of Engineers

ASMD – Area Specific Management Directives

BEP – Biological Enhancement Program

BLM – Bureau of Land Management

BMO – San Diego County Biological Mitigation Ordinance

BMP – Best Management Practices

CDFG – California Department of Fish and Game

CEQA – California Environmental Quality Act

CESA – California Endangered Species Act

CFD – Community Facilities District

CHD – Critical Habitat Designation

CSS – Coastal Sage Scrub

CVFD – Chula Vista Fire Department

CWA – San Diego County Water Authority

DOT – Department of Transportation

DWR – California Department of Water Resources

EIR – Environmental Impact Report

EIR/EIS – Environmental Impact Report/Environmental Impact Statement

EMP – Emergency Management Plan

ESA – Federal Endangered Species Act

FEMA – Federal Emergency Management Agency

HCP – Habitat Conservation Program

HEAT – Habitat Emergency Advisory Team

HIRT – Hazardous Incident Response Team

HLIT – Habitat Loss and Incidental Take Ordinance

HMMD – San Diego County Department of Health Hazardous Materials Management Division

HMTC – Habitat Management Technical Committee

HOA – Homeowners Association

HRP – Habitat Response Plan

IA – Implementing Agreement

IOD – Irrevocable Offer of Dedication

ITP – Incidental Take Permit

JEPA – Joint Exercise of Power Agreement

LCP – Chula Vista Local Coastal Program

MBTA – Federal Migratory Bird Treaty Act

MHPA – County of San Diego Multiple Habitat Planning Area

MMRP – Mitigation Monitoring and Reporting Program

MSCP – Multiple Species Conservation Program

NCCP – California Natural Community Conservation Planning Act of 1991

NEPA – National Environmental Policy Act

NPDES – National Pollution Discharge Elimination System Permit

OES – California Office of Emergency Services

Otay Ranch GDP/SRP – Otay Ranch General Development Plan/Subregional Plan

OVRP – Otay Valley Regional Park

OWD – Otay Water District

PMA – Preserve Management Area

PMEF – Preserve Management Endowment Fund

POM – Otay Ranch Preserve Owner Managers

QCB – Quino checkerspot butterfly

QSAC – Quino Scientific Advisory Committee

RAP– Response Action Plan

RDA – Restricted Development Area

RMP – Resource Management Plan

RWQCB – California Regional Water Quality Control Board

SANDAG – San Diego Association of Governments

SCADA – Supervisory Control and Data Acquisition

SDFD – San Diego Fire Department

SDNWR – San Diego National Wildlife Refuge

SMR – San Miguel Ranch

SPA – Sectional Planning Area

SUSMP – Standard Urban Storm Water Mitigation Plan

TMA – Tarplant Management Area

USFWS – United States Fish and Wildlife Service